



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,443	02/13/2002	Zhao-Cheng Chen		7796

7590 03/19/2003
Zhao-Cheng Chen
235 Chung-Ho
Box 8-24
Taipei,
TAIWAN

EXAMINER

SAWHNEY, HARGOBIND S

ART UNIT	PAPER NUMBER
----------	--------------

2875

DATE MAILED: 03/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,443

Applicant(s)

CHEN, ZHAO-CHENG

Examiner

Hargobind S Sawhney

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following features must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The limitation "the inner wall of the through hole having a plurality of clamp seats 3" is not shown in the submitted drawings as recited in lines 2 and 3 of Claim 1.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

1. The disclosure is objected to because of the following informalities:

Page 2, line 24, "mask is opaque" needs to specify the opaque mask with a numeral (e.g. 4a, 4b or 4c), and identify in the submitted figures.

Page 4, lines 1 and 2, "the inner wall of the through hole 11 has a plurality of clamp seats 3" is not reflected in the submitted figures 2-5. Instead, Figure 2 shows the inner wall of the frame body 1 containing a plurality of clamp seats 3.

Appropriate correction is required.

The instant application has been examined considering the inner wall of the body 1 containing a plurality of clamp seats 3 as shown in Figure 2.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-5 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1, lines 2 and 3, "the inner wall of the through hole has a plurality of clamp seats" is neither shown in the submitted figures, nor it appears to be the intention of the applicant's disclosure.

Claims 2-5 are necessarily rejected because of their dependency on the rejected base Claim 1.

The instant application has been examined considering the inner wall of the frame body 1 containing a plurality of clamp seats 3 as shown in Figure 2.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 2 and 3, "an inner wall of the through hole having a plurality of clamp seats" is not clearly understood. Figure 2 shows the clamp seats being attached on the inner wall of the frame body, whereas the specification specifies the clamp seats being attached to the inner wall of the through hole (Page 4, lines 1 and 2).

As shown in Figure 2, the instant application has been examined considering the inner wall of the body containing a plurality of clamp seats.

Allowable Subject Matter

6. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The prior art of record, including Aspenwall (US Patent No.: 5,467,260), Chan et al. (US Patent No.: 4,460,945) and Moore (US Patent No.: 4,388,680), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose proper motivation for combining:

- a lamp head having a frame body further having a through hole on its lateral side;
- the frame body further having a plurality of clamp seats each further having an elastomer and a positioning pin; and
- masks— light modifiers – being installed on the positioning pins, and further being clamped by the clamp seat.

The combination of the above-indicated features, including a plurality of clamp seats each being coupled to a positioning pin, makes disclosure unique.

Aspenwall (US Patent No.: 5,467,260) discloses a lens retaining system comprising a plurality of clamp seats similar to that claimed by the applicant. However, Aspenwall (US Patent No.: 5,467,260) does not teach the combination of a clamp seat coupled with a positioning pin.

7. Claims 2-5 would also be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wu (U.S. Patent No. 6,273,585B1);

Art Unit: 2875

Cvek (U.S. Patent No. 5,477,443);

Chen (U.S. Patent No. 5,482,516);

Dean (U.S. Patent No. 3,476,117);

Osteen (U.S. Patent No. 3,661,685)

Baughn (U.S. Patent No. 1,466,944)

Each of the above-indicated prior arts discloses a lighting apparatus comprising some of the claimed features claimed by the applicant.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 703-306-5909. The examiner can normally be reached on 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2956.

HSS
March 14, 2003

Examiner:  Hargobind S. Sawhney